



AT/1635  
Zhu

Patent Application  
Attorney's Docket No.: MET-021US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Zuomei Li, Claire Bonfils and Jeffrey M. Besterman  
Application No.: 09/817,538 Group: 1635  
Filed: March 26, 2001 Examiner: Schmidt, Mary M.  
Confirmation No.: 6847  
For: ANTISENSE OLIGONUCLEOTIDE INHIBITION OF SPECIFIC  
HISTONE DEACETYLASE ISOFORMS

\*\*\*\*\*

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Date: 9/16/04

Signature Melissa Simpson

Printed Name: Melissa Simpson

\*\*\*\*\*

**REQUEST FOR CORRECTION/AMENDMENT OF INVENTORSHIP**  
**UNDER 37 C.F.R. §1.48(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request that the inventorship be corrected and the above-captioned application, including page 1 of the specification, be amended to add Robert A. MacLeod as inventor. With such amendment Zuomei Li, Claire Bonfils, Jeffrey M. Besterman and Robert A. MacLeod are the joint inventors of the subject application.

Li *et al.*

Application No. 09/817,538

Page 2 of 2

Enclosed herewith are the following documents: Statement under 37 C.F.R. §1.48(a)(2) by Robert A. MacLeod; an executed Declaration by the actual inventors as required by §1.63; Written Consent of the Assignee to the inventorship change with Statement under §3.73(b); and a check in the amount of \$130.00 in payment of the processing fee as set forth in §1.17(i).

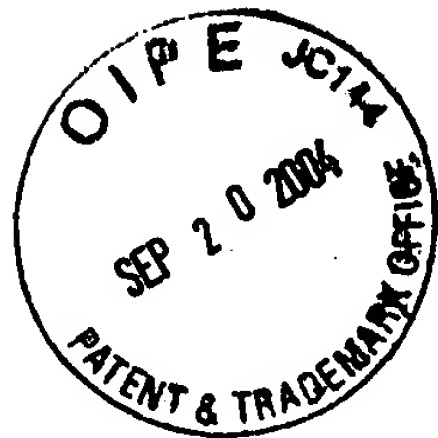
Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 50-2285. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

Date: September 16 2004

By: Joseph C. Zuccherro  
Joseph C. Zuccherro  
Registration No. 55,762

Keown & Associates  
500 West Cummings Park  
Suite 1200  
Woburn, MA 01801  
Telephone: 781-938-1805  
Facsimile: 781-938-4777



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Date: 9/16/04

Signature: Melissa Simpson  
Printed Name: Melissa Simpson

\*\*\*\*\*  
STATEMENT UNDER 37 C.F.R. §1.48(a)(2) by Robert A. MacLeod

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Robert A. MacLeod, hereby state that I am a co-inventor with Zuomei Li, Claire Bonfils and Jeffrey M. Besterman of the subject matter claimed in the above-captioned application as filed. The error of omitting my name as co-inventor occurred without deceptive intention on my part.

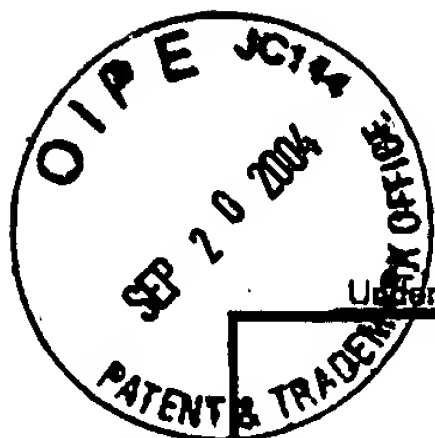
Name

Robert A. MacLeod

Robert A. MacLeod

Date

Sept. 14<sup>th</sup> 2004



PTO/SB/96 (06-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Robert A. MacLeod

Application No./Patent No.: 09/817,538

Filed/Issue Date: March 26, 2001

Entitled: Antisense Oligonucleotide Inhibition of Specific Histone Deacetylase Isoforms

Methylgene, Inc.  
(Name of Assignee)a Corporation  
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012081, Frame 0968, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Donald Corcoran

Printed or Typed Name

CEO

Title

Sept. 14, 2004

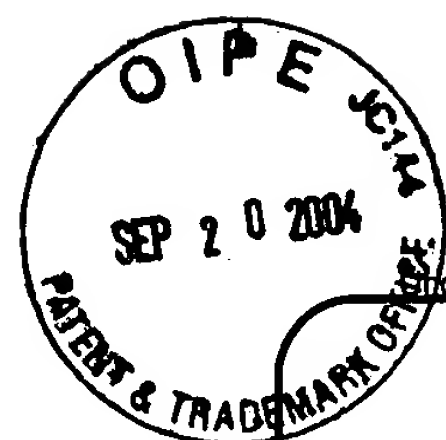
Date

514-337-3333 Ext. 224

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (02-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|   |                      |                        |            |
|---|----------------------|------------------------|------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 09/817,538             |            |
|   | Filing Date          | March 26, 2001         |            |
|   | First Named Inventor | Li                     |            |
|   | Art Unit             | 1635                   |            |
|   | Examiner Name        | Schmidt, Mary M.       |            |
| Total Number of Pages in This Submission  | 7                    | Attorney Docket Number | MET-021US2 |

**ENCLOSURES (Check all that apply)**

|  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <b>Remarks</b><br>1. Post Card<br>2. Req. for Correction/Amend. of Inventorship<br>3. Statement under 37 CFR 1.48(a)(2)<br>4. Written Consent<br>5. Statement under 37 CFR 3.73(b)   |   |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

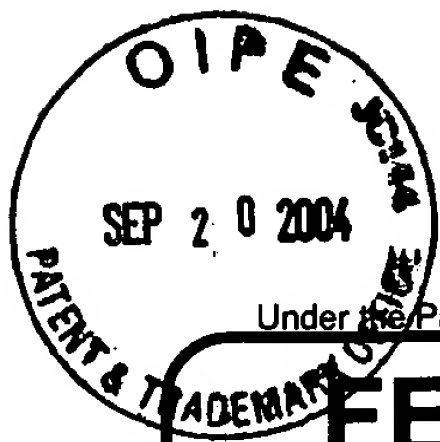
|                         |                                      |
|-------------------------|--------------------------------------|
| Firm or Individual name | Joseph C. Zuccherro, Reg. No. 55,762 |
| Signature               | <i>Joseph C. Zuccherro</i>           |
| Date                    | <i>September 16 2004</i>             |

**CERTIFICATE OF TRANSMISSION/MAILING**

|  |                        |      |                |
|--|------------------------|------|----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                        |      |                |
| Typed or printed name  | <i>Melissa Simpson</i> |      |                |
| Signature  | <i>Melissa Simpson</i> | Date | <i>9/16/04</i> |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

**Complete if Known**

|                      |                  |
|----------------------|------------------|
| Application Number   | 09/817,538       |
| Filing Date          | March 26, 2001   |
| First Named Inventor | Li et al.        |
| Examiner Name        | Schmidt, Mary M. |
| Art Unit             | 1635             |
| Attorney Docket No.  | MET-021US2       |

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit Account Number  
Deposit Account Name

50-2285

Keown &amp; Associates

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent        | -20** =      | X              |          |
| Multiple Dependent | -3** =       | X              |          |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252     | 420      | 2252     | 210      | Extension for reply within second month                                    |          |
| 1253     | 950      | 2253     | 475      | Extension for reply within third month                                     |          |
| 1254     | 1,480    | 2254     | 740      | Extension for reply within fourth month                                    |          |
| 1255     | 2,010    | 2255     | 1,005    | Extension for reply within fifth month                                     |          |
| 1401     | 330      | 2401     | 165      | Notice of Appeal   |          |
| 1402     | 330      | 2402     | 165      | Filing a brief in support of an appeal                                     |          |
| 1403     | 290      | 2403     | 145      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453     | 1,330    | 2453     | 665      | Petition to revive - unintentional   |          |
| 1501     | 1,330    | 2501     | 665      | Utility issue fee (or reissue)   |          |
| 1502     | 480      | 2502     | 240      | Design issue fee   |          |
| 1503     | 640      | 2503     | 320      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809     | 770      | 2809     | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810     | 770      | 2810     | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801     | 770      | 2801     | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

Addition of Inventor

130.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

**SUBMITTED BY**

(Complete (if applicable))

|                   |                           |                                   |                   |           |              |
|-------------------|---------------------------|-----------------------------------|-------------------|-----------|--------------|
| Name (Print/Type) | Joseph C. Zucchero        | Registration No. (Attorney/Agent) | 55,762            | Telephone | 781-938-1805 |
| Signature         | <i>Joseph C. Zucchero</i> | Date                              | September 16 2004 |           |              |

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